

AMENDED IN ASSEMBLY MAY 20, 2010

AMENDED IN ASSEMBLY MAY 13, 2010

AMENDED IN ASSEMBLY APRIL 22, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

## **Assembly Joint Resolution**

**No. 38**

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**Introduced by Assembly Members Caballero, Fuller, and Arambula**

February 25, 2010

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Assembly Joint Resolution No. 38—Relative to public resources.

### LEGISLATIVE COUNSEL'S DIGEST

AJR 38, as amended, Caballero. Public resources: Two-Gates Fish Protection Demonstration Project.

This measure would request the United States Department of the Interior to prioritize completion of its study of the Two-Gates Fish Protection Demonstration Project in the Sacramento-San Joaquin Delta.

Fiscal committee: no.

1 WHEREAS, From 2007 to 2009, inclusive, California  
2 experienced a severe drought that adversely affected water supplies  
3 in many parts of the state, including water exported from the  
4 Sacramento-San Joaquin Delta (Delta) by the State Water Project  
5 (SWP) and the federal Central Valley Project (CVP), and also  
6 adversely affected the environment, including commercially  
7 valuable fish species; and  
8 WHEREAS, While most of the 2009 SWP and CVP water  
9 delivery reductions resulted from the multiyear drought, some  
10 additional reductions were made to protect state and federally listed  
11 smelt, salmon, and steelhead species native to the Delta, pursuant

1 to federal biological opinions required by the federal Endangered  
2 Species Act; and

3 *WHEREAS, In 2009, the combination of recession, drought,*  
4 *water supply reductions, and other hardships contributed to*  
5 *significant local unemployment and economic dislocation in rural*  
6 *farming communities on the west side of the San Joaquin Valley,*  
7 *affecting farmworkers, agriculture-related jobs, and small*  
8 *businesses; and*

9 WHEREAS, Water shortages during the drought of 2007 to  
10 2009, inclusive, and the adverse economic, social, and  
11 environmental effects resulting from those shortages, underscore  
12 the need for California to do everything possible to manage our  
13 limited water resources efficiently, carefully, and responsibly; and

14 WHEREAS, Currently, scientific studies of the causes of  
15 declines in populations of fish species in the Delta are ongoing  
16 and continue to further our understanding of the delicate  
17 environmental balance in the Delta and the influences of the various  
18 stressors affecting these populations; and

19 WHEREAS, While there are many projects to be considered in  
20 working to protect and recover fish populations in the Delta, the  
21 Legislature urges expedient consideration of the Two-Gates Fish  
22 Protection Demonstration Project. With \$28,000,000 of funding  
23 for the project allocated as part of Proposition 84 (Senate Bill 1,  
24 Chapter 5 of the Seventh Extraordinary Session of the Statutes of  
25 2009) and additional funding available from a combination of  
26 federal and private funds, this experimental project proposes to  
27 install barriers and gates that could reduce the loss of Delta smelt  
28 at state and federal pumps; and

29 WHEREAS, While information about how the Two-Gates Fish  
30 Protection Demonstration Project will affect Delta smelt and other  
31 imperiled fish species is currently unclear, the project presents a  
32 creative option that should be expeditiously analyzed and, if viable,  
33 implemented; and

34 WHEREAS, In light of the importance of the Delta estuary, its  
35 fisheries, the millions of Californians who depend on the Delta for  
36 drinking water, and the millions of acres of prime farmland that  
37 depend on the Delta for irrigation, there is great urgency to identify  
38 and implement programs and projects that advance California's  
39 coequal goals of protecting and restoring the Delta ecosystem

1 while ensuring a reliable water supply for California; now,  
2 therefore, be it

3     RESOLVED BY THE ASSEMBLY AND THE SENATE OF  
4 THE STATE OF CALIFORNIA, JOINTLY, That the Legislature  
5 requests the United States Department of the Interior to prioritize  
6 completion of its study of the Two-Gates Fish Protection  
7 Demonstration Project in the Sacramento-San Joaquin Delta; and  
8 be it further

9     RESOLVED, That the Chief Clerk of the Assembly transmit  
10 copies of this resolution to the author for appropriate distribution.

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